

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

APEX SCHOOL OF THEOLOGY,	)	
	)	
Plaintiff,	)	Case No. 1:19-cv-955
	)	
v.	)	
	)	
ELISABETH DEVOS, SOLELY IN HER	)	
OFFICIAL CAPACITY AS SECRETARY OF	)	
THE UNITED STATES DEPARTMENT OF	)	
EDUCATION,	)	
	)	
Defendant.	)	

**PLAINTIFF’S EMERGENCY MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to 20 U.S.C. §§ 1070 *et seq.*, 5 U.S.C. §§ 701 *et seq.*, and Fed. R. Civ. P. 65, Plaintiff Apex School of Theology (“ASOT”) respectfully moves this Court for an Order preliminarily enjoining the Department of Education from (1) considering an OIG investigation of a Columbus, Georgia off-site location while processing ASOT’s request for reimbursement of Spring semester 2019 federal student aid (“FSA”) or (2) delaying processing ASOT’s request for reimbursement of Spring semester 2019 FSA on the basis of the OIG investigation.

Pursuant to Local Rule 65.1(b), ASOT hereby requests leave to present oral argument in support of the motion.

Pursuant to Local Rule 7.3(a), the points and authorities in support of this Motion are set forth in an accompanying brief in support, filed contemporaneously herewith.

WHEREFORE, ASOT respectfully requests that this Court GRANT its Motion for Preliminary Injunction.

Respectfully submitted this 17<sup>th</sup> day of September, 2019.

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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the foregoing **PLAINTIFF'S EMERGENCY MOTION FOR PRELIMINARY INJUNCTION** with the Clerk of Court by using the CM/ECF system which will automatically send email notification of such filing to all counsel of record, and via Federal Express as follows:

ELISABETH DEVOS  
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This 17<sup>th</sup> day of September, 2019.

/s/ Chad Sharkey  
Chad A. Sharkey